

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

E. ALLEN REEVES, INC.		: CIVIL ACTION NO.
<i>Plaintiff</i>		: 3:10-CV-01393-JAP-TJB
v.		:
MICHAEL GRAVES & ASSOCIATES, INC.		:
<i>Defendant</i>		:
MICHAEL GRAVES & ASSOCIATES, INC.		:
<i>Counterclaimant,</i>		:
v.		:
E. ALLEN REEVES, INC.		:
<i>Counterdefendant</i>		:
MICHAEL GRAVES & ASSOCIATES, INC.		:
<i>Third Party Plaintiff,</i>		:
v.		:
DAVID CHOU & ASSOCIATES;		:
KELTER & GILLIGO CONSULTING		:
ENGINEERS;		:
FISHER MARANTZ STONE, INC.;		:
THE ARTS COUNCIL OF PRINCETON;		:
SAL ARNONE;		:
JOHN DOES 1-50,		:
<i>Third Party Defendants,</i>		:

**NOTICE OF MOTION TO RENEW THE MICHAEL GRAVES & ASSOCIATES, INC. MOTION TO
DISMISS THE ARTS COUNCIL OF PRINCETON'S COUNTERCLAIM PURSUANT TO N.J.S.A.
§2A:53A-29**

**ORAL ARGUMENT REQUESTED
PURSUANT TO LOCAL RULE 78.1**

John J. Graham, Esquire
Cohen, Seglias, Pallas, Greenhall & Furman
United Plaza, 19th Floor
30 South 17th Street
Philadelphia, PA 19103
Counsel for E. Allen Reeves, Inc.
Counsel for the Arts Council of Princeton on the Counterclaim
John E. Lamastra, Esquire

Daly, Lamastra & Cunningham
3 Mountain View Road
P.O. Box 1622
Warren, N.J. 07061

PLEASE TAKE NOTICE that on _____ at 9:00

a.m., or as soon thereafter as counsel may be heard, the undersigned counsel for Defendant/Third-Party Defendant, Michael Graves & Associates, Inc., will move before the Honorable Joel A. Pisano, U.S.D.J., at the United States District Court for the District of New Jersey, Clarkson S. Fisher Building and U.S. Courthouse, 402 East State Street, Trenton, New Jersey, for entry of an Order dismissing the Arts Council Of Princeton's Counterclaim Pursuant to N.J.S.A. §2A:53A (b)(6).

This Notice of Motion is filed pursuant to the Court's Order of March 15, 2012, and is a renewal of the Michael Graves & Associates, Inc.'s Motion originally filed on December 30, 2010, and docketed as Docket Entry No. 99 in the above-captioned matter.

Pursuant to Federal Rule of Civil Procedure 10(c), Michael Graves & Associates, Inc. renewed Motion to Dismiss hereby incorporates the Brief, docketed 99-1; A proposed form of Order was docketed 99-2; Certification 99-3; and Exhibits docketed 101 to 101-6.

MARSHALL, DENNEHEY, WARNER,
COLEMAN & GOGGIN

By: /s/ Raymond J. Michaud
RAYMOND J. MICHAUD, ESQ.
Attorney for Defendant/Third Party Plaintiff
Michael Graves & Associates

DATE: April 12, 2012
06/2592486.v1